

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE**

**FIRST HORIZON NATIONAL
CORPORATION, FTN FINANCIAL
SECURITIES CORP., and
FIRST TENNESSEE BANK NATIONAL
ASSOCIATION,**

Plaintiffs,

v.

**CERTAIN UNDERWRITERS AT
LLOYD’S,**
Specifically Syndicate Nos. 2987 BRT and
2488 AGM, Subscribing to Policy Nos.
QA051908/1 and QA052008/1, **and**

ASPEN INSURANCE UK LIMITED,
Subscribing to Policy Nos.
QA051908/1 and QA052008/1,

**U.S. SPECIALTY INSURANCE
COMPANY, and**

FEDERAL INSURANCE COMPANY,

Defendants.

**CIVIL ACTION
NO. 2:11-cv-02608**

JURY TRIAL DEMANDED

**PLAINTIFFS’ MOTION FOR LEAVE TO
FILE SECOND AMENDED COMPLAINT**

Plaintiffs First Horizon National Corporation, FTN Financial Securities Corp., and First Tennessee Bank National Association (collectively, “First Horizon”), pursuant to the joint Proposed Scheduling Order submitted to the Court and Rule 15(a)(2) of the Federal Rules of Civil Procedure, move this Court for leave to amend their claims by filing a Second Amended Complaint, a copy of which is attached as Exhibit A. The grounds for this Motion are set forth in the accompanying Plaintiffs’ Memorandum of Law in Support of Motion for Leave to File

Second Amended Complaint. Therefore, First Horizon respectfully requests that the Court grant its Motion for Leave to File Second Amended Complaint and enter the proposed Order attached as Exhibit B.

Dated: June 29, 2012

Respectfully submitted,

/s/ Anthony P. Tatum

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LOCAL RULE 7.2(a)(1)(B) CERTIFICATE OF CONSULTATION

The undersigned certifies that Counsel for Plaintiffs, Anthony P. Tatum, consulted with counsel for Defendants — Christopher Conrad for Certain Underwriters at Lloyd's and Aspen Insurance UK Limited, William Smith and Mary Catherine Martin for U.S. Specialty Insurance Company, and Merril Hirsh, Richard Ambrow, and Justin Joy for Federal Insurance Company — on December 14, 2011 by telephone conference, and agreed to the joint Proposed Scheduling Order which provides that “Amended and supplemental pleadings must be filed by June 29, 2012. Any subsequent amended and supplemental pleadings shall be permitted only as provided in Rule 15 of the Federal Rules of Civil Procedure.” The Second Amended Complaint, which is being filed on June 29, 2012, is therefore expressly permitted by the joint Proposed Scheduling Order and consented to by Defendants.

Dated: June 29, 2012

/s/ Anthony P. Tatum
Anthony P. Tatum

CERTIFICATE OF SERVICE

I certify that on this 29th day of June, 2012, I electronically filed the foregoing PLAINTIFFS' MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT with the Clerk of Court which will automatically send notice of such filing to the attorneys referenced below:

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I also certify that I e-mailed a copy to the attorneys referenced above.

/s/ Anthony P. Tatum

Anthony P. Tatum